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August 29, 2022

The Honorable Joshua D. Wolson
 United States District Court – Eastern District of Pennsylvania
 James A. Byrne United States Courthouse
 601 Market Street, Courtroom 3-B
 Philadelphia, Pennsylvania 19106

Re: Case No. 17-cv-00495-JDW
Eddystone Rail Co., LLC v. Bridger Logistics, LLC

Dear Judge Wolson,

On behalf of plaintiff Eddystone Rail Company LLC, we write to notify the Court about additional unredacted filings that Defendants made on the public docket that contain information produced under the crime-fraud order.

As the Court is aware, Eddystone opposed Defendants' motion to close the courtroom in part because much of the information revealed in the crime-fraud production is already in the public docket—and the Defendants were the ones who put it there. Dkt. 600 at 2-4, 10. Eddystone pointed to six, separate unredacted filings on Pacer. *See id.*

Defendants moved to seal those six unredacted filings (Dkts. 602, 603) but evidently did not check the public docket to see if there were others. Eddystone recently conducted that check and discovered an additional seven unredacted filings made by Defendants on the public docket, as shown in the chart below. This further confirms that Defendants themselves have not “zealously protected” the information produced under the crime fraud order (Dkt. 605 at 2) and that they will not be “harmed” by an open courtroom for the upcoming trial (Dkt. 600 at 7-10).

Date filed on Pacer	Docket number	Name of Filing	Description of Document
9/28/2021	Dkt. 494-7	Exhibit 5 to Defendants' Motion to Exclude N. Earnest	Plaintiff's Responses and Objections to the Ferrellgas Defendants' Second Set of Interrogatories (describes in detail materials produced under the crime-fraud order)



9/28/2021	Dkt. 495-13	Exhibit 9 to Defendants' Motion to Dismiss and for Summary Judgment	Plaintiff's Supplemental Responses to Rios/Gamboa's Second Set of Interrogatories (describes in detail materials produced under the crime-fraud order)
9/28/2021	Dkt. 495-19	Exhibit 15 to Defendants' Motion to Dismiss and for Summary Judgment	Plaintiff's Supplemental Responses to Rios/Gamboa's Fourth Set of Interrogatories (describes in detail materials produced under the crime-fraud order)
9/28/2021	Dkt. 495-48	Exhibit 44 to Defendants' Motion to Dismiss and for Summary Judgment	Plaintiff's Responses and Objections to the Ferrellgas Defendants' Second Set of Interrogatories (describes in detail materials produced under the crime-fraud order)
9/28/2021	Dkt. 495-91	Exhibit 87 to Defendants' Motion to Dismiss and for Summary Judgment	Excerpt from Patrick Knapp deposition transcript (Tr. 30-31) being questioned about an email chain, BLFG_EDPA2425706 – 5746 (Knapp Ex. 673), produced under the crime-fraud order
12/13/2021	Dkt. 523-9	Exhibit 9 to Defendants' opposition to exclude G. Polkowitz	Email from Cathy Brown reporting on her conversation with Patrick Knapp – BLFG_EDPA2394589-90, which was produced under the crime-fraud order.
12/13/2021	Dkt. 523-8	Exhibit 8 to Defendants opposition to exclude G. Polkowitz	Excerpt from Patrick Knapp deposition transcript (Tr. 52-53) being questioned about the Brown email at BLFG_EDPA2394589-90 (Knapp Ex. 675), produced under the crime-fraud order.

Respectfully submitted,

s/ Filiberto Agusti

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cc: Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that the foregoing was filed via the Court's ECF system on August 29, 2022, thereby serving all counsel of record.

/s/ Filiberto Agusti
Filiberto Agusti